



US Army Corps
of Engineers

Sacramento District
1325 J Street
Sacramento, CA 95814-2922

Public Notice

Public Notice Number: 200200297

Date: April 21, 2003

Comments Due: May 21, 2003

In reply, please refer to the Public Notice Number

TO WHOM IT MAY CONCERN:

SUBJECT: Application for a Department of the Army permit under authority of Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act to dredge 32,000 cubic yards of material to allow barge access for the placement of rock slope protection on an existing levee in Fourteen Mile Slough.

APPLICANT: Robert Patterson
Reclamation District 1608
P.O. Box 4775
Stockton, CA 95204-0775

LOCATION: The portion of Fourteen Mile Slough that the applicant would like to dredge for barge access and placement of rock slope protection is from the Lincoln Village West Marina southeasterly to the Fritz Grupe Park. The project area is located in Section 30, Township 2 North, Range 6 East, Stockton, California, San Joaquin County.

PROJECT DESCRIPTION: Reclamation District 1608 proposes to perform maintenance on 3600 linear feet of flood control levees on Fourteen Mile Slough, from Lincoln Village West Marina southeasterly to Fritz Grupe Park. Approximately 1700 cubic yards of 12" rock slope protection below the mean high tide line of Fourteen Mile Slough. The applicant has stated that because of access limitations the stone protection must be brought in by barge and Fourteen Mile Slough would need to be dredged to allow barge access.

The area to be dredged would be a 40 foot wide section that is 15 feet waterward from the toe of the levee. The work area limit, including the buffer, extends 130 to 150 feet into the channel. The channel has a large tule island directly adjacent to the area that would be dredged. A 5-10 foot buffer would be maintained between the dredged portion and the tule island. The in-channel tule island extends throughout 14-mile slough and the dredging would take place on the north side. The slough would be dredged approximately 3 to 5 feet in depth and a total of 32,000 cubic yards of dredged material would be removed with a clam shell dredger. The material would be transported to levees maintained by Reclamation District 2119. The material would be off-loaded by clam shell bucket at designated areas on the landside levee. The material would remain there to dewater and than used to reconstruct the existing flood control levees of

Reclamation District 2119. The placement of dredged spoils may also require a Department of the Army Permit.

The existing levee in Fourteen Mile slough is rip-rapped with a 2:1 slope. The new rock material would be placed on the levee using a clam shell bucket and manual labor to restore the bank to a 2.5:1 slope in areas that need new fill. The applicant states that either stone fill or geotextile fabric material would be placed on existing vegetation. The existing footing trench and key would not be disturbed.

AREA DESCRIPTION:

The existing levee has a 2:1 rip-rapped slope that is vegetated with native and non native grasses. The adjacent levee crown is vegetated with trees and shrubs. The adjacent levee area also has decks, fences, lawns, and dock facilities constructed on or near it. slope. The in-channel tule island provides extensive habitat for fish and wildlife species. Grupe Communities residential area is located on the south side of the in-channel tule island within Fourteen Mile Slough.

ADDITIONAL INFORMATION:

The applicant for the currently proposed project (200200297) did not enclose a mitigation plan to reduce indirect and adverse affects of this project on fish and wildlife species or their habitat. Without sufficient protection to the north side of the islands in conjunction with the work to restore and stabilize the south side (Grupe Communities), cumulative impacts from this project to the islands may be substantial.

The project area is currently rip-rapped, therefore the placement of additional fill would not impact cultural resources.

The Corps of Engineers has initiated consultation with the U.S. Fish and Wildlife Service and National Marine Fisheries Service under Section 7 of the Endangered Species Act for the following endangered species: delta smelt (*Hypomesus transpacificus*), Sacramento splittail (*Pogonichthys macrolepidotus*), Central Valley steelhead (*Oncorhynchus mykiss*), winter-run chinook salmon (*Oncorhynchus tshawytscha*), and Central Valley spring-run chinoooy salmon (*Oncorhynchus tshawytscha*). The Corps of Engineers also consulted on essential fish habitat for Pacific Salmon pursuant to Section 305(b)(2) of the Magnuson-Stevens Act.

The District Engineer has made this determination based on information provided by the applicant and on the Corps' preliminary investigation.

Interested parties are invited to submit written comments on or before **May 21, 2003**. Personal information in comment letters is subject to release to the public through the Freedom of Information Act. Any person may request, in writing, within the comment period specified in this notice that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership, and in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

If additional information is required, please contact Reclamation District 1608 , telephone (209)948-8200, or Mr. Paul Maniccia, at the letterhead address, telephone 916-557-6704.

Michael J. Conrad, Jr.
Colonel, US Army
District Engineer

Enclosures: Drawings 8